



Paper No. 8

WAGNER, MURABITO & HAO LLP
Two North Market Street
Third Floor
San Jose, CA 95113.

MAILED

DEC 18 2003

Technology Center 2100

In re Application of: DANIEL OSTROFF, ET AL.)
Application No.: 09/783,318) **DECISION ON PETITION TO**
Filed: February 15, 2001) **WITHDRAW THE HOLDING OF**
For: **SOFTWARE PROGRAM FOR**) **ABANDONMENT AND REQUEST**
INTERNET INFORMATION RETRIEVAL,) **FOR WITHDRAWAL AS ATTORNEY**
ANALYSIS AND PRESENTATION) **OR AGENT**

This is in reply to Petitioner's petition to Withdraw the Holding of Abandonment and Request for Withdrawal As Attorney filed in the United States Patent and Trademark Office (USPTO) on November 14, 2003. No fee is required.

A review of the file record reveals that:

1. A Power of Attorney was filed in the USPTO on September 04, 2001, and appointed Attorneys of WAGNER, MURABITO & HAO LLP as Attorneys of Record. The Power of Attorney improperly referred to the application Serial Number 09/783,318. This referred application Serial Number 09/783,318 was an apparent, typographical error. The right application Serial Number should have been 09/483,318 instead of 09/783,318. As a result of the typographical error, the Office Letter dated February 25, 2003 (Paper No. 5) was erroneously mailed to the following correspondence address: WAGNER, MURABITO & HAO LLP, Two North Market Street, Third Floor, San Jose, CA 95113.


2. The proper correspondence address is:
HOFFMAN, WASSON & GITLER, P.C.
2361 Jefferson Davis Highway
Suite 522
Arlington, VA 22202;

and Attorneys of Record are those of HOFFMAN, WASSON & GITLER, P.C.

3. A Notice of Abandonment for failure to reply within the Shortened Statutory period set in the Office Letter February 25, 2003 (Paper No. 5) has not been issued by the USPTO.

Since (1) the Attorneys of Record are those of HOFFMAN, WASSON & GITLER, P.C., not those of WAGNER, MURABITO & HAO LLP, (2) the Office Letter dated February 25, 2003 (Paper No. 5) was mailed to an erroneous correspondence address, and (3) a Notice of Abandonment has not been issued by the USPTO, the Petition is **DISMISSED** as moot.

The application will be forwarded to the Supervisory Legal Instruments Examiner with the instructions to redate and remail the Office Letter dated February 25, 2003 (Paper No. 5) to the proper correspondence address.



Bot LeDinh, J.D., Ph.D.
Special Programs Examiner
Technology Center 2100
Computer Architecture, Software, and Information Security
(703) 305-0651

C/C:

HOFFMAN, WASSON & GITLER, P.C.
2361 Jefferson Davis Highway 2461 South Clark street
Suite 522
Arlington, VA 22202